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**NOMINATION OF ROBERTA LEE GROSS TO BE
INSPECTOR GENERAL OF THE NATIONAL AERO-
NAUTICS AND SPACE ADMINISTRATION**

Y 4.C 73/7:S. HRG. 104-121

Nomination of Roberta Lee Gross to...

HEARING

OF THE

**COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION**

UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

JUNE 13, 1995

Printed for the use of the Committee on Commerce, Science, and Transportation



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(II)

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CONTENTS

	Page
Hearing held on June 13, 1995	1
Opening Statement of Senator Burns	1
Prepared statement	2
Prepared statement of Senator Hollings	3

LIST OF WITNESSES

Gross, Roberta Lee, Nominee, Inspector General of the National Aeronautics and Space Administration	3
Prepared statement	4
Biographical data	6

(III)

HEARING ON THE NOMINATION OF ROBERTA LEE GROSS TO BE INSPECTOR GENERAL OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

TUESDAY, JUNE 13, 1995

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 9:45 a.m., in room SR-253, Russell Senate Office Building, Hon. Conrad Burns, presiding. Staff members assigned to this hearing: Louis C. Whitsett, staff counsel, and Elly V. Seng, professional staff member; and Patrick H. Windham, minority staff counsel.

OPENING STATEMENT OF SENATOR BURNS

Senator BURNS. I want to welcome Mrs. Roberta Gross to the committee this morning for the purpose of a hearing on her nomination as Inspector General for the National Aeronautics and Space Administration.

As we know from reading the newspapers, NASA has had some problems with its Inspector General's office, especially with regard to the appearance of conflicts of interest. NASA has publicly also been known to experience a little bit of waste, and maybe fraud and abuse in some areas from time to time.

But then it is the job of the Inspector General to help Congress and the executive branch to address these kinds of problems.

This is a very important time for NASA, as it is for many other agencies and departments of the Federal Government. We are facing downsizing. We are facing budget cuts and must make some plans for entering the 21st century.

We understand that Administrator Goldin is doing his best to reorganize the agency, trying to streamline it, to go about privatizing as many of the activities as he possibly can. We have always worked closely with NASA.

We will continue to do so while it goes through the various steps that are necessary to modernize and update to respond to the challenges of space.

The men and women who work at NASA are, for the most part are very dedicated, and all that I have met have been highly dedicated to the mission that NASA has set before them.

They have worked together for a long, long time in an industry that now needs new ideas and safety requirements of the highest

degree, and the ability to work with other countries and also work with the private sector.

The position of the Inspector General is especially critical at this point in time because of those surrounding circumstances. I have reviewed your qualifications, Mrs. Gross.

I have reviewed your FBI report and your ethics and financial background. They appear to be in good order. And I believe, after having spoken to you privately yesterday, that you will be one of those dedicated employees that NASA seems to embrace.

By the way, I want to thank you, Mrs. Gross, for coming to my office yesterday. We had a nice visit, and I appreciate that very much.

At this time we would ask that if you would want to make any statement at this time and that you could make your opening statement.

Thank you for coming this morning. And thank you for stepping forward for public service. You know, it gets tougher and tougher to attract quality people such as yourself to take these very, very important positions.

[The prepared statement of Senator Burns follows:]

PREPARED STATEMENT OF SENATOR BURNS

The committee will please come to order.

I want to welcome Mrs. Roberta Gross to this committee for the purpose of a hearing on her nomination as Inspector General for the National Aeronautics and Space Administration (NASA).

As we all know from reading the newspapers, NASA has had some problems in its Inspector General's Office, especially with regard to appearances of conflicts of interest. NASA has publicly also been known to experience waste, fraud, and abuse from time to time. It is the job of the Inspector General to help Congress and the executive branch address these kinds of problems.

This is a very important time for NASA, as it is for so many other agencies and departments of the Federal Government that face downsizing, budget cuts, and the need to plan for entering the 21st century. We understand that Administrator Goldin is doing his best to reorganize the agency, streamline it, and go about privatizing many of its activities. We have always worked closely with NASA and will continue to do so while it goes through the various steps necessary to modernize, update, and respond to the challenges in space.

The men and women who work for NASA are, for the most part, dedicated to their mission. But they have worked together for a very long time in an industry that now needs new ideas, safety requirements of the highest degree, and the ability to work with other countries and privatization.

The position of Inspector General is especially critical at this point in time because of those surrounding circumstances. I have reviewed your qualifications, your FBI report, and your ethics and financial background. They appear to be in good order, and I believe, after having spoken with you privately, that you will be one of those dedicated employees.

However, Mrs. Gross, there are a few questions I would like to ask you at this time.

What are your specific plans to establish and maintain a methodology for finding the areas of waste, fraud, and abuse. This seems to have been a major problem in the past when moneys were more readily available.

Mrs. Gross, how do you plan to ensure that employees who are managing contractors are doing their job in the most ethical manner possible?

At this point, I would like to ask the other senators if they have any questions.

Are there any other remarks or ideas that you would like to share with us at this time, Mrs. Gross?

Thank you very much for your time, Mrs. Gross. This nomination hearing is now adjourned.

PREPARED STATEMENT OF SENATOR HOLLINGS

I am pleased that the Committee is holding this hearing on the nomination of Roberta L. Gross to be Inspector General of the National Aeronautics and Space Administration (NASA). NASA is a large agency, with a range of important technical programs and it needs an Inspector General. In Mrs. Gross, the President has nominated a person with a great experience in investigations and Federal Inspector General activities. I look forward to reviewing her testimony.

STATEMENT OF ROBERTA L. GROSS, NOMINEE, INSPECTOR GENERAL OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mrs. GROSS. Thank you. And I also want to thank you for meeting with me yesterday. And I certainly do appreciate your public support of dedicated government workers. I think that in these times that is very important for government employees to hear.

It is an honor for me to appear today before this committee as the President's nominee to the position of Inspector General of the National Aeronautics and Space Administration.

NASA's role in the areas of aeronautics and space continues to challenge the imagination and the intellect. However, NASA does not have unlimited means for its bold mission.

To the extent that its scarce resources are frittered away by fraud, waste, abuse, and mismanagement, NASA's legacy to the future, which is to our children and to our grandchildren, is squandered.

If I am reported favorably by this committee and confirmed by the Senate, I will do my best to carry out the mandate of the Inspector General's Act, to deter those who do not share the high values and the strong work ethic of the majority of the dedicated NASA employees and the contractors who do business with the government. These values include a commitment to integrity, efficiency, and good government business practices.

I am not new to the Inspector General's community. Since March 1990, I have directed the Investigations Section and have been counsel at Amtrak's Office of Inspector General.

At Amtrak we have had numerous contacts with assistant attorneys general in diverse areas, including medical and procurement fraud, product substitution, double billing schemes, environmental clean-up abuses, overcharges, and bribery.

Our efforts at effective case management and investigation have maximized recoveries both to the agency and to the United States. And we have pursued civil, criminal and administrative remedies.

From January 1993 through June 1993, at the request of the President's Council on Integrity and Efficiency, I served as Acting Inspector General at the National Archives and Records Administration, otherwise known as Archives.

During that period I stabilized an office that was in turmoil as an aftermath of allegations of mismanagement of the Inspector General. I remained until the appointment of a permanent Inspector General.

Prior to my career with the Amtrak Office of Inspector General, I spent 11 years as a litigator both in the criminal and civil arenas.

I worked as an Assistant Corporation Council with the District of Columbia from 1982 through 1989. I was both a staff attorney and Chief of the Civil Litigation Section.

Before that, I was an attorney with the Federal Trade Commission, in the Consumer Protection Division. We dealt with some issues of fraud such as unfair and deceptive advertising of food and drug products.

After law school, I served as an Assistant District Attorney in the white collar crime section for the Northern District of Middlesex County in Massachusetts.

And as an aside, I served there while a member of this committee, John Kerry, was a district attorney before he went on to other careers.

That section specialized in complex economic fraud. My experience as an assistant district attorney was invaluable in familiarizing me with the standards for criminal prosecution—and I do want to particularly stress this—is that one of the things that we stressed there and I intend to stress as Inspector General is, we weighed the quantum of evidence for a criminal case.

It is a very serious kind of step to take, both for individuals and corporations, but we consistently followed the requirements for confidentiality that are required by grand jury proceedings. I do honor the commitment in spirit and in substance that a government attorney and a government does not comment, except for the public record, on things that are a matter of public record.

I continued this approach at Amtrak's Inspector General's office, and I will continue doing that.

If reported favorably by this committee and confirmed by the Senate, I will do my best to fulfill the mandate of the Inspector General's Act.

I look forward to managing an office that will assist Administrator Goldin and his management team in minimizing the depletion of NASA's funds and resources through fraud, waste, abuse, and mismanagement.

And, also toward assisting him is a phrase that I see that he uses is: you that you have to do things better, faster, smarter. I think that an Inspector General's office has an important role in helping an agency do things better, faster, smarter.

I hope also that our office will look at its own procedures, its own policies, and do things better, faster and smarter.

I also look forward to the chance of working closely with your committee, and I welcome any questions that you may have. Thank you very much.

Senator BURNS. Thank you, Mrs. Gross, for your testimony.

[The prepared statement of Mrs. Gross follows:]

PREPARED STATEMENT OF ROBERTA L. GROSS

It is an honor for me to appear today before this Committee as the President's nominee to the position of Inspector General of the National Aeronautics and Space Administration.

NASA's role in the areas of aeronautics and space continues to challenge the imagination and the intellect. However, NASA does not have unlimited means for its bold mission. To the extent that its scarce resources are frittered away by fraud, waste, abuse and mismanagement, NASA's legacy to the future, to our children and grandchildren, is squandered.

If I am reported favorably by this Committee and confirmed by the Senate, I will do my best to carry out the mandate of the Inspector General's Act to deter those who do not share the high values and strong work ethic of the majority of the dedicated NASA employees and the contractors who do business with the government.

These values include a commitment to integrity, efficiency and good business practices.

I am not new to the Inspector General's community. Since March 1990, I have directed the Investigations section and am Senior Counsel at Amtrak's Office of Inspector General. At Amtrak, our office has worked with numerous Assistant United States Attorneys in diverse areas including medical and procurement fraud, product substitution, double billing schemes, environmental cleanup abuses, overcharges, and bribery. Our efforts at effective case investigation and presentation have maximized recoveries for Amtrak and the United States through civil, criminal, and administrative channels.

From January 1993 through June 1993, at the request of the President's Council on Integrity and Efficiency, I served as Acting Inspector General of the National Archives and Record Administration (Archives). During that period, I stabilized the office which was in turmoil as an aftermath of allegations of mismanagement of the Inspector General's office. I remained until the appointment of a permanent Inspector General.

Prior to my career with the Amtrak Office of Inspector General, I spent eleven years as a litigator both in the criminal and civil arenas.

I worked as an Assistant Corporation Counsel with the District of Columbia from 1982 through 1989. I was both a staff attorney and Chief of the Civil Litigation Section.

Before that, I was an attorney with the Federal Trade Commission in the Consumer Protection Division. We dealt with some issues of fraud such as unfair and deceptive advertising of food and drug products.

After law school, I served as an Assistant District Attorney in the white collar crime section, for the Northern District of Middlesex County, Massachusetts. That section specialized in complex economic fraud. My experience as an Assistant District Attorney was invaluable in familiarizing me with the standards for criminal prosecution. We carefully evaluated the quantum of evidence necessary before taking the serious step of bringing criminal charges against an individual or a corporation, consistently followed the requirement for confidentiality of matters before the grand jury and honored the requirement of a government attorney to generally restrict comments to the public record. I have continued this approach in my current employment with Amtrak's Office of Inspector General.

If reported favorably by this Committee and confirmed by the Senate, I shall do my best to fulfill the mandate of the Inspector General's Act. I look forward to managing an office that will assist Administrator Goldin and his management team in minimizing the depletion of NASA's funds and resources through fraud, waste abuse and mismanagement.

I also look forward to the chance to work closely with you and now welcome any questions the Committee may have.

Thank you very much Mr. Chairman.

[Biographical Data follows:]

LARRY PRESSLER, SOUTH CAROLINA, CHAIRMAN
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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

(If more space is needed, please use attached REMARKS sheet)

A. BIOGRAPHICAL DATA

1. Name:	Gross	Roberra	Lee
	(Last)	(First)	(Other)
Address:	4821 32nd Street, N.W.	60 Massachusetts Ave., N.E., 2W	
	(Current residence)	(Summer)	
	Washington, DC 20008	Washington, DC 20002	
2. Position to which nominated:	Inspector General, NASA	Date of nomination:	April 6, 1995
3. Date of birth:	3/11/47	Place of birth:	Dayton, Ohio
	(month) (day) (year)		
4. Marital status:	married	Full name of Spouse:	Richard A. Gross
5. Names and ages of children:	Eric S. Gross 7/9/80		
	Edward A. Gross 7/9/80		
6. Education:	Institution	Dates attended	Degrees received
	Vassar College	1965-69	B.A.
	University of Michigan	1969-70	M.A.
	Suffolk University	1971	Ed. Cert.
	Northeastern University	1975-78	J.D.

7. Employment record: List all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

From	To	Name of employer	Address	Type of work
9/70	10/70	U.S. Bureau of Census, Boston, MA		clerical
9/70	10/70	Dunkin' Donuts, Boston, MA		waitress
11/70	6/71	Fernald School, Belmont, MA		Attendant
11/71	6/72	Newton Public Schools, Newton, MA		Teacher
9/72	6/75	Sharon Public Schools, Sharon, MA		Teacher
9/78	10/79	Office of District Attorney, Cambridge, MA		Asst. D.A.
2/80	3/82	Federal Trade Commission, Washington, DC		Staff Attorney
3/82	7/89	Office of Corporation Counsel, Washington, DC		Atty/Supervisor
8/89	2/90	Robert Adler, Esq., Washington, DC		attorney
3/90	present	National Railroad Passenger Corp., Washington, DC		Sr. Dir., Court

8. Government experience: List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other part-time service or positions.

1) From 9/70 - 10/70, I worked as a clerk in Census Bureau, Boston, MA

2) From 9/78 - 10/79, I worked as Assistant D.A. in Office of the D.A., Cambridge

3) From 2/80 - 3/82, I worked as a staff attorney for the FTC, Washington, DC

4) From 3/82 - 7/89, I worked as a staff and supervisory attorney for the Office of Corporation Counsel, Washington, DC

9. Political affiliations and activities: List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

1988 Dukakis for President Committee

1988-90 Alternate member, Ward 3 Democratic Committee, Washington, DC

1988 Member, Ward 3 Citizens To Elect Bill Lightfoot

1990 Co-Chair, Ward 3 Committee To Elect Linda Cropp

1990 Contributor to Committee To Elect John Kerry

10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, charitable, and other organizations.

Member, DC Bar, Womens' Bar Association of D.C.; Inactive member, Massachusetts Bar Assoc.; Member, Temple Sinai, Washington, D.C.; Board Member, Sinai Assisted Housing Foundation; Member, Murch Public School Home & School Assoc.; Board Member, Jelliffe Boys & Girls Clubs; Member, Vassar Alumni Association; Member, Northeastern Law School Alumni Association

11. Honors and awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievement.

1963, Baush & Lomb Science Award

1969 Vassar Scholarship for Graduate Study

1989 Mayor's Meritorious Public Service Award

1989 Corporation Counsel Distinguished Service Award

12. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials you have written.

None

Senator BURNS. I would assume that, after our visit yesterday afternoon, you have already looked at this position and started to develop ways to deal with the problems that you might have confronting you while at NASA.

And I would imagine that if you could just lay out a thumbnail sketch on how you plan to operate the office and how you plan to put some of your ideas into action——

Mrs. GROSS. I think one of the things that I need to do immediately is to look at the staffing patterns that are currently there, the alignment of the staff, the reporting channels, and evaluate if that is the most effective and the most efficient way of using resources.

They have had a pattern of structure that has been set up in space centers and different facilities, and they have a head person in charge of each center.

I have no value judgment whether that is the most effective way. I want to evaluate if that is the best use of resources. So that is one thing.

I think they have had, from reports that I have read, obviously, that there are some morale problems. And one of the things I want to do is to visit each headquarters office that I can and meet each person individually and imprint my own management style, my own management ethics and my own sense of mission.

I think the other thing I have to do is really just see what they are doing, what they have in progress. It is an office that has done some very fine work.

I am going to sit back and see what they are doing and evaluate that in terms of my own sense of goals.

Senator BURNS. Those are all of the questions that I have after reviewing your record. But I would ask, is there any of your family here that you want to introduce this morning?

Mrs. GROSS. Yes, thank you. I certainly appreciate that opportunity. My husband is here, Richard Gross, and my two sons, Edward Gross and Eric Gross. They are 14-year-old fraternal twins. And they are delighted to be here, as you can tell by their expressions.

Senator BURNS. Well, we are in double trouble. I can relate to that, and the 14-year-old business. We are just about to run out of teenagers in my family, but I do not think you ever get them raised, so it does not make any difference how old they are. That is what my dad said about me anyway.

But I would ask if any other questions are forthcoming from any other committee member, subcommittee or full committee, if you could respond to those questions——

Mrs. GROSS. Absolutely.

Senator BURNS [continuing]. Both to the committee and to the individual senator. I shall be supporting and recommending that you be appointed and confirmed in this position to the full Senate.

We appreciate you coming down this morning. And thank you very much.

Mrs. GROSS. Thank you very much.

[Whereupon, at 9:57 a.m., the hearing was adjourned.]

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